

BARRY J. PORTMAN  
Federal Public Defender  
SHAWN HALBERT  
Assistant Federal Public Defender  
450 Golden Gate Avenue  
San Francisco, CA 94102  
Telephone: (415) 436-7700

Counsel for Defendant BERNIE CUSTODIO

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
BERNIE CUSTODIO,  
  
Defendant.

CR-06-00659 VRW

STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING NEXT COURT  
DATE FROM MAY 8, 2007 TO JUNE  
12, 2007; REFERRING CASE FOR  
SETTLEMENT CONFERENCE

The undersigned parties stipulate as follows:

1. The parties' next scheduled date before this Court is May 8, 2007 at 10:30 a.m. for change of plea.
2. The defendant has requested that the parties participate in a settlement conference in an attempt to resolve the case, and the government has agreed to attend a settlement conference. Because the facts of the case are relatively simple, the parties anticipate that the settlement conference will not require a significant amount of time by the settlement judge. Defense counsel is unavailable on June 5, 2007, and so requests that the matter be placed on calendar for change of plea on June 12, 2007.

STIP. AND [PROP] ORDER CONTINUING  
STATUS DATE AND REFERRING CASE TO  
SETTLEMENT JUDGE; CR-06-00659 VRW

3. The parties agree that the time between May 8, 2007 and June 12, 2007 should be excluded from the computation of time within which the trial of this matter must commence because the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial, in light of the need for the reasonable time necessary for effective preparation of counsel, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

IT IS SO STIPULATED.

Date: May 7, 2007

/S/  
SHAWN HALBERT  
Assistant Federal Public Defender

Date: May 7, 2007

/S/  
TRACIE BROWN  
Assistant United States Attorney

ORDER

For GOOD CAUSE SHOWN, it is hereby ORDERED that the status hearing, previously set by this Court for May 8, 2007 at 10:30 a.m. for change of plea, shall be continued to June 12, 2007 at 10:30 a.m. IT IS FURTHER ORDERED that the time between May 8, 2007 and June 12, 2007 shall be excluded from the computation of time within which the trial of this matter must commence because the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial, in light of the need for the reasonable time necessary for effective preparation of counsel, for the reasons described in the above stipulation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

For GOOD CAUSE SHOWN, it is hereby further ORDERED that the case shall be referred as soon as possible to a settlement conference before a settlement judge prior to the next date before this Court.

Date: 5/7/2007

